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**Attorneys for Plaintiff**  
**THE BANK OF NEW YORK MELLON**  
**FKA THE BANK OF NEW YORK AS**  
**TRUSTEE FOR THE**  
**CERTIFICATEHOLDERS OF THE**  
**CWABS, INC. ASSET-BACKED**  
**CERTIFICATES, SERIES 2005-17**

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK AS TRUSTEE FOR  
THE CERTIFICATEHOLDERS OF THE  
CWABS, INC. ASSET-BACKED  
CERTIFICATES, SERIES 2005-17,

Plaintiff,

v.

SFR INVESTMENTS POOL 1, LLC, ALIANTE  
MASTER ASSOCIATION,

Defendants.

SFR INVESTMENTS POOL 1, LLC, a Nevada  
limited liability company,

Counter/Cross Claimant,

v.

THE BANK OF NEW YORK MELLON FKA  
THE BANK OF NEW YORK AS TRUSTEE FOR  
THE CERTIFICATEHOLDERS OF THE  
CWABS, INC. ASSET-BACKED  
CERTIFICATES, SERIES 2005-17;  
COUNTRYWIDE HOME LOANS, INC.;  
RODERICK SMITH, an individual; MELINDA  
SMITH, an individual,

Counter/Cross Defendants.

CASE NO. 2:17-cv-00210-JCM-CWH

**STIPULATION AND ORDER TO DISMISS  
WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a) and LR IA 6-2, Plaintiff THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE CERTIFICATEHOLDERS OF THE CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2005-17 (“Plaintiff”) and Defendant, SFR INVESTMENT POOL 1, LLC (“SFR”) (collectively the “Parties”) by and through their respective undersigned counsel of record, hereby stipulate to and agree, as follows:

1. This action concerns title to real property commonly known as 4108 Erinbird Avenue, North Las Vegas, Nevada (“Property”) following a homeowner’s association foreclosure sale conducted on January 31, 2014, with respect to the Property.
2. As it related to the Parties, a dispute arose regarding that Deed of Trust recorded against the Property in the Official Records of Clark County, Nevada as Instrument Number 20051130-0007844 (“Deed of Trust”), and in particular, whether the Deed of Trust continues to encumber the Property.
3. This Stipulation and Order is the result of a compromise resolution of this action and shall not constitute or be construed as an admission of facts or legal conclusions at issue in this action, or an admission as to the validity of the allegations in future actions.
4. With respect to this dispute, the Parties have entered into a confidential settlement agreement pursuant to which Plaintiff shall record a reconveyance of the Deed of Trust in the real property records of Clark County, Nevada.
5. Plaintiff expressly reserved all rights and interests in the loan secured by the Deed of Trust, as well as its claims against MELINDA SMITH including but not limited to, any actions to seek a deficiency judgment.
6. Plaintiff further expressly reserves all rights and interest in any excess proceeds from the foreclosure sale of the Property.
7. The Parties have resolved all of their claims and disputes, and stipulate and agree to the dismissal of all claims among them with prejudice, with each party to bear its own costs and attorneys’ fees.

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- 1 8. The Lis Pendens recorded on January 30, 2017 in the official records of the Clark County  
2 Recorder as Instrument No. 20170130-001105 shall be expunged.  
3 9. The Lis Pendens recorded on March 9, 2017 in the official records of the Clark County  
4 Recorder as Instrument No. 20170309-0000364 shall also be expunged.  
5 10. The Parties further stipulate and agree that a copy of this Stipulation and Order may be  
6 recorded with the Clark County Recorder.

7 **IT IS SO STIPULATED.**

8 DATED this 7th day of November, 2018

DATED this 7th day of November, 2018

9 WOLFE & WYMAN LLP

KIM GILBERT EBRON

10 By: /s/ Colt B. Dodrill

By: /s/ Diana S. Ebron

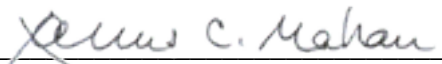
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CERTIFICATEHOLDERS OF THE  
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CERTIFICATES, SERIES 2005-17

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SFR INVESTMENTS POOL 1, LLC

18  
19 **ORDER**

20 **IT IS SO ORDERED.**

21 DATED November 15, 2018.

22  
23   
24 UNITED STATES DISTRICT JUDGE  
25  
26  
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**CERTIFICATE OF SERVICE**

On November 7, 2018, I served **STIPULATION AND ORDER TO DISMISS WITH PREJUDICE** by the following means to the persons as listed below:

  X   a. ECF System (you must attach the “Notice of Electronic Filing”, or list all persons and addresses and attach additional paper if necessary):

Diana S. Ebron, Esq.  
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*ALIANTE MASTER ASSOCIATION*

           b. United States Mail, postage fully pre-paid (List persons and addresses. Attach additional paper if necessary):

By: Jamie C. Soquena  
Jamie C. Soquena, an employee of  
Wolfe & Wyman LLP